

PREVAILED

Roll Call No. _____

FAILED

Ayes _____

WITHDRAWN

Noes _____

RULED OUT OF ORDER

HOUSE MOTION _____

MR. SPEAKER:

I move that Engrossed Senate Bill 71 be amended to read as follows:

- 1 Page 1, between the enacting clause and line 1, begin a new
- 2 paragraph and insert:
- 3 "SECTION 1. IC 8-1.5-5-32 IS ADDED TO THE INDIANA
- 4 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 5 [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies to**
- 6 **excluded cities and towns in a county containing a consolidated**
- 7 **city.**
- 8 **(b) A municipality to which this section applies may withdraw**
- 9 **from the district established by the consolidated city if the**
- 10 **municipal legislative body adopts an ordinance withdrawing the**
- 11 **municipality from the district. The municipal legislative body shall,**
- 12 **at least thirty (30) days before the final vote on the ordinance, mail**
- 13 **written notice of the meeting to the following:**
- 14 **(1) All owners of lots and parcels within the municipality that**
- 15 **are subject to storm water user fees imposed in the district by**
- 16 **the department of public works of the consolidated city.**
- 17 **(2) The department of public works of the consolidated city.**
- 18 **(c) An ordinance described in subsection (b) takes effect sixty**
- 19 **(60) days after adoption by the municipal legislative body.**
- 20 **(d) In addition to the notice required by subsection (b), if a**
- 21 **municipal legislative body adopts an ordinance under subsection**
- 22 **(b), the municipal legislative body shall mail written notice of the**
- 23 **withdrawal from the district to the department of public works of**
- 24 **the consolidated city not more than thirty (30) days after the**
- 25 **ordinance becomes effective.**

(e) If on the date of a municipality's withdrawal from the district there are bonds outstanding that have been issued by the board of public works of the consolidated city, the municipality is liable for and shall pay that indebtedness in the same ratio as the assessed valuation of the property in the municipality bears to the assessed valuation of all property included in the district on the date one (1) day before the date of withdrawal, as shown in the most recent assessment for taxation before the date of withdrawal.

(f) If a municipal legislative body adopts an ordinance under subsection (b), the district is entitled to receive the following:

(1) An annual lump sum payment equal to the total amount of property taxes paid and allocated to the district's flood debt service fund from all property taxpayers within the municipality, to the extent the property taxes are not necessary to pay the indebtedness owed by the municipality under subsection (e). A payment under this subdivision is required for property taxes assessed beginning on the January 1 preceding the effective date of the municipality's withdrawal from the district.

(2) The total amount of storm water user fees collected by the department of public works of the consolidated city from the lots and parcels in the municipality beginning on the January 1 preceding the effective date of the municipality's withdrawal from the district.

(g) Payments received under subsection (f):

(1) shall be deposited by the municipality in a dedicated fund; and

(2) may be used by the municipality only for purposes of storm water management in the municipality and may not be diverted, directly or indirectly, in any manner to any use other than the purposes of storm water management in the municipality."

Renumber all SECTIONS consecutively.

(Reference is to ESB 71 as printed February 17, 2006.)

Representative Hinkle